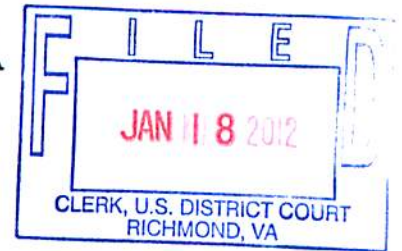


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division,



Michael A. Foley, et. al.,
Plaintiffs,

v.

Civil Action No. 3:11CV00698

Samuel I. White, P.C.,
Defendant,

JURY
INITIAL PRETRIAL ORDER

At a pretrial conference held on January 18, 2012 this
action was **set for trial by a jury** at 9:30 a.m. July 30, 2012.

1. The Scheduling Order and Pretrial Schedule A previously
issued in this action shall remain in effect.

2. A **Final Pretrial Conference** will be conducted at 9:30 a.m.
July 23, 2012 at which time trial counsel shall appear
and present for entry a **Final Pretrial Order** setting forth: (A) a
stipulation of undisputed facts; (B) a list and description of all
exhibits, marked and consecutively numbered, intended to be offered
by each party as to which there is no objection; (C) a list and
description of all exhibits, marked and consecutively numbered,
intended to be offered by each party as to which there are
objections and a statement of the particular grounds for each
objection; (D) a list of all discovery material intended to be
offered; (E) the names and addresses of all witnesses who will
testify on behalf of each party and whether the witness will

testify as a fact witness or as an expert witness; (F) the factual contentions of each party; and (G) the triable issues as contended by each party. All exhibits to which no objection is made shall be admitted without further order. Objections to exhibits and designated discovery will be decided at the Final Pretrial Conference unless the volume of designated discovery requires consideration at a separate time in which event counsel shall be responsible for arranging another date for hearing on objections.


No witness, exhibit or discovery material not included in the Final Pretrial Order will be permitted to testify or be admitted at trial, except as to non-expert witnesses, exhibits or discovery material offered solely as rebuttal evidence or for impeachment.

It shall be the responsibility of counsel for plaintiff(s) to assemble and distribute to all other counsel a draft of the Final Pretrial Order in sufficient time to allow completion before the Final Pretrial Conference. Counsel shall resolve disagreements on the content of the Final Pretrial Order and shall present a clean final version thereof at the Final Pretrial Conference. Failure to comply with the requirements of this paragraph may result on the imposition of sanctions pursuant to Fed. R. Civ. P. 16(f).

If no Final Pretrial Conference is to be held, the Final Pretrial Order shall be presented for entry by 5:00 p.m. two (2) business days before the commencement of trial.

The Clerk is directed to send a copy of this Order to all counsel of record.

It is so ORDERED.

/s/ 
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: January 18, 2012